

Attorney Docket No: BRCK004/00US

PATENT



### DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### SYSTEM AND METHOD FOR DETERMINING IF OBJECTS ARE IN A QUEUE

the specification of which:

(check one)

☐ is attached hereto;

☒ was filed as United States Application Serial No. 10/724,394 on December 1, 2003, and was amended on \_\_\_ (if applicable);

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information which is known to me to be material to the patentability of said invention in accordance with 37 C.F.R. §1.56;

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date) (day, month, year)

\_\_\_\_\_  
(Application Number)

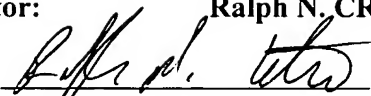
\_\_\_\_\_  
(Filing Date) (day, month, year)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Attorney Docket No.: BRCK004/00US  
Application Serial No. 10/724,394  
Page 2

Full name of inventor: **Ralph N. CRABTREE**

Inventor's signature



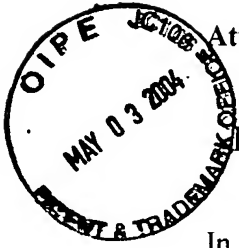
Date

4/26/2008

Residence: 2090 Black Fox Drive, NE, Atlanta, GA 30345, USA

Citizen of: USA

Post Office Address: 2090 Black Fox Drive, NE, Atlanta, GA 30345, USA



Attorney Docket No: BRCK-004/00US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Ralph N. CRABTREE

Serial No.: 10/724,394

Examiner: Unassigned

Confirmation No.: 8889

Art Unit: 3623

Filed: December 1, 2003

For: **SYSTEM AND METHOD FOR DETERMINING IF OBJECTS ARE IN A QUEUE**

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U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

**POWER BY ASSIGNEE  
AND STATEMENT UNDER 37 C.F.R. §3.73(b)**

The Assignee of the entire right, title, and interest in the above-identified application hereby grants the registered practitioners of Cooley Godward LLP included in the Customer Number provided below power to act, prosecute, and transact all business in the U.S. Patent and Trademark Office in connection with this application, any applications claiming priority to this application, and any patents issuing therefrom.

The Assignee certifies that to the best of its knowledge and belief it is the owner of the entire right, title, and interest in and to the above-identified application as evidenced by:

- ☒ [X] An assignment document, a copy of which is enclosed herewith;
- ☐ [ ] An assignment previously recorded in the U.S. Patent and Trademark Office at Reel \_\_, Frame \_\_.

Please direct all telephone calls and correspondence to:

Cooley Godward LLP  
ATTN: Patent Group  
One Freedom Square  
Reston Town Center  
11951 Freedom Drive  
Reston, VA 20190-5656  
Tel: (703) 456-8000  
Fax: (703) 456-8100

CUSTOMER NUMBER: **22903**

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the Assignee.

Date: 4/26/2004 Signature: Fred Baumbach  
Name: Fred Baumbach  
Title: Vice President  
Company: Brickstream Corporation



Attorney Docket No. BRCK-004/00US

PATENT

Applicant or Patentee: Ralph N. CRABTREE  
Serial No.: 10/724,394 Patent No.:  
Filed: December 1, 2003 Issued:  
For: **SYSTEM AND METHOD FOR DETERMINING IF OBJECTS ARE IN A  
QUEUE**

**ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUS UNDER  
37 C.F.R. §1.27 - SMALL BUSINESS CONCERN**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the  
concern identified below:

Name of Small Business Concern: Brickstream Corporation  
Address of Small Business Concern: 1349 W. Peachtree Street, N.E., Suite 1900  
Atlanta, Georgia 30309

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §121 for purposes of paying reduced fees under 35 U.S.C. §§41(a) and (b), in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both;

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled and described in:

- ☐ the specification filed herewith;  
☒ the application identified above; or  
☐ the patent identified above;

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. §1.27(a)(1) or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.27(a)(2) and 13 C.F.R. §121 or a nonprofit organization under 37 C.F.R. §1.27(a)(3):

Name:  
Address:

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Attorney Docket No.BRCK-004//00US

Application Serial No.10/724,394

Page 2

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. §1.27(g))

Signature

Fred Baumbach

Date

4/26/2004

Name of Person Signing

Fred Baumbach

Title of person other than owner

Vice President

Address of person signing

Brickstream Corporation  
1349 W. Peachtree Street, N.E., Suite 1900  
Atlanta, Georgia 30309